

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

THE UNITED STATES OF AMERICA

V.

ALBERT LYNN BARCROFT

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CASE NO. 4:07cv100

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

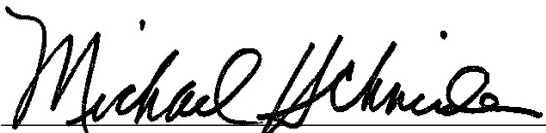
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 23, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the motion to dismiss (Dkt. 98) be GRANTED and that all claims against Sharla and Jerry Zumwalt in this matter be DISMISSED with prejudice.

The Court, having made a *de novo* review of the objections raised by Pam Kay Barcroft (Dkt. 165) and Albert Lynn Barcroft (Dkt. 176), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections do not state any valid reason why the recommendations should not be adopted. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

The motion to dismiss (Dkt. 98) is GRANTED, and all claims against Sharla and Jerry Zumwalt in this matter are DISMISSED with prejudice.

IT IS SO ORDERED.

SIGNED this 17th day of July, 2008.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE